



November 13, 2019

**VIA ECF**

The Honorable Mitchell S. Goldberg  
U.S. District Court, Eastern District of Pennsylvania  
United States Courthouse, Room 7614  
601 Market Street  
Philadelphia, PA 19106

**RE: Jane Doe v. The Hospital of University of  
Pennsylvania, et al.  
U.S.D.C., E.D. Pa., No. 2:19-cv-02881-MSG**

Dear Judge Goldberg:

On behalf of Defendants, The Trustees of the University of Pennsylvania (incorrectly identified as "The University of Pennsylvania") ("Penn"), The Hospital of University of Pennsylvania ("HUP"), The University of Pennsylvania Health System, and Dr. Octavia Pickett-Blakely (collectively, the "Penn Defendants"), we write to withdraw section IV.D. of our Motion to Dismiss filed on November 7, 2019 (doc. 23).

Penn Defendants are committed to protecting the civil rights of their students, employees, patients, and others affiliated with Penn. Penn Defendants have maintained longstanding policies of non-discrimination with respect to sex, sexual orientation, and gender identity, among other protected characteristics. In fact, Penn's existing policies afford greater protection against discrimination of any kind than existing federal law. Regardless of the outcome of the pending United States Supreme Court case addressing the scope of protection afforded by current federal law, the Penn Defendants remain fully committed to affording the full measure of protection under their policies to our transgender patients and employees. Consistent with this commitment, we have decided to withdraw section IV.D of our Motion to Dismiss.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Joe H. Tucker, Jr.', is written over a light gray circular background.

Joe H. Tucker, Jr.

cc: All counsel of record (via ECF)